

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT SCOTT PATTERSON,

Plaintiff,

Case No. 11-15317
HON. GERSHWIN A. DRAIN

vs.

MICHAEL BAUMHAFT, *et al.*,

Defendants.

ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT [#25]

Presently before the Court is Plaintiff's Motion for Default Judgment, filed on November 19, 2012. Plaintiff moves for entry of default judgment in the amount of \$387,591.00 for economic damages resulting from Defendants, Universal Homes, LLC ("Universal Homes"), and Midwest Express Funding Inc.'s ("Midwest Express"), breach of the parties' agreements. Plaintiff also seeks non-economic damages in the amount of \$100,000.00, however he provides no authority for the proposition that non-economic damages are recoverable in an action of this nature.

The summons and complaint were served on Universal Homes and Midwest Express on February 1, 2012. See Dkt. Nos. 6, 7. On November 7, 2012, Defendants withdrew their Answer to Plaintiff's Complaint. On November 12, 2012, Plaintiff filed a Request for Clerk's Entry of Default against Universal Homes and Midwest Express. On

November 14, 2012, the Clerk of the Court entered a default against both Defendants Universal Homes and Midwest Express for failure to plead or otherwise defend in this matter. See Dkt. Nos. 23 and 24.

Accordingly, the Court GRANTS Plaintiff's motion for default judgment in the amount of \$387,591.00. Defendant Universal Homes is a Michigan limited liability company, and Defendant Midwest Express is a Michigan corporation, thus neither entity is an individual in active military service, a minor or incompetent person. Default judgment is hereby entered against Defendants Universal Homes and Midwest Express, jointly and severally, in the amount of \$387,591.00.

SO ORDERED.

Dated: November 20, 2012

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on November 20, 2012, by electronic mail.

/S/ Tanya Bankston
Deputy Clerk